

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF PLANNING

■	Historic District
□	CFA
□	Other



## PUBLIC SPACE APPLICATION REVIEW

**DATE:** March 12, 2010  
**TO:** Public Space Committee  
**FROM:** Joshua Ghaffari, Citywide Planner  
**SUBJECT:** 1654 Newton Street, NW

### APPLICATION-IN-BRIEF

**Applicant:** Maria Taminiaux

**Location:** The site is a residence at 1654 Newton Street NW. It is located on the south side of Newton St NW near the corner of 17th St NW. It is located in a R-4 zoning district. The site is located in the Mount Pleasant Historic District. There is a 15' building restriction line on this property along Newton Street, NW. Regulations governing both public space (DCMR Title 24: Public Space and Safety) and private property (DCMR Title 11: Zoning) that relate to this application apply.

**Proposal:** The applicant is requesting to install a curb cut and paved driveway that is 9 x 19 feet in front of the residence; 4' of the parking space is public space and the remaining 15' are within the building restriction line.

### BACKGROUND

The Office of Planning received the public space application for review on January 15, 2010. The owner of the property has filed to go to the Historic Preservation Review Board (HPRB), but needs relief from zoning regulations that do not allow parking in a front yard. The owner needs to complete the zoning review process before continuing on to HPRB. There is currently no application for this case to go before the BZA.

### BASIS OF REPORT

The Office of Planning (OP) has reviewed the application, considered existing site and adjacent site conditions, visited the site, completed research on the site to prepare this report, and coordinated with staff in OP's Historic Preservation Office and Development Review Division. There are several polices and regulations in the Comprehensive Plan, DDOT's Design and Engineering Manual, and zoning regulations that relate to this application:

#### **Comprehensive Plan**

##### *Policy UD-2.2.1 Neighborhood Character and Identity*

Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations and additions to existing neighborhood context.

*Policy HP-2.5.2: Historic Landscapes*

Preserve the distinguishing qualities of the District's historic landscapes, both natural and designed. Protect public building and monument grounds, parks and parkway systems, government and institutional campuses, gardens, cemeteries, and other historic landscapes from deterioration and incompatible development.

*Policy LU-2.2.1: Code Enforcement as a Tool for Neighborhood Conservation*

Recognize the importance of consistent, effective, and comprehensive code enforcement to the protection of residential neighborhoods. Housing, building, and zoning regulations must be strictly applied and enforced in all neighborhoods of the city to prevent deteriorated, unsafe, and unhealthy conditions; reduce illegal activities; maintain the general level of residential uses, densities, and height; and ensure that health and safety hazards are promptly corrected.

*Action UD-3.1-C: DDOT Public Space Permits*

Ensure that all public space permits, including but not limited to permits for dumpsters, electric wiring, tree removal, excavation, parking, fences, retaining walls, signs and banners, sidewalk cafés, curb cuts, and special displays, are not inconsistent with the Comprehensive Plan and contribute to the policies laid out ... for the use of street space.

**DCMR Title 11: Zoning - Location of Parking Spaces**

2116.2 Parking spaces shall be located in one (1) of the following ways:

- (a) Within a permitted garage or carport, subject to the special provisions of chapter 23; or
- (b) On an open area of the lot as follows:
  - (1) Within a rear yard;
  - (2) Within a side yard; or
  - (3) Except in an SP District, elsewhere on the lot if accessory to a commercial or industrial use.

2116.4 Required parking spaces shall not be located in the area between a building line and lot line abutting a street.

**DDOT's Design and Engineering Manual**

*46.1.2 Off Street Parking*

Parking is not allowed within the public space area between the curb of the street and the right of way (Property Line) of the street.

**KEY ISSUES**

Parking cars in the parking/public space area is inconsistent with the intent of District regulations that in part are intended to protect the view shed by providing for continuous views along District streets.

The applicant is located on a residential street of historic row homes. The proposal is for curb cut and a paved driveway to be installed on the front of the property. The area of the new driveway is 171 square feet. The length of the new driveway is 19' and the width is 9'. Although some adjacent properties have curb cuts, driveways, and vehicle parking spaces within the building restriction line area, DDOT staff could not locate public space permits for the adjacent curb cuts, driveways, or parking spaces.

**SUMMARY AND RECOMMENDATION**

The increase of paving and parking in an area that is clearly intended to be landscaped is inconsistent with the intent of the District's public space regulations.

**The Office of Planning recommends that this application be denied.**